

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 16-CR-21

SAMY HAMZEH,

Defendant.

MOTION FOR MISCELLANEOUS RELIEF

Samy Hamzeh, by counsel, files this motion to file an out-of-time reply brief. I have contacted AUSA Paul Kanter about his position on this motion but have not heard back.

The deadline for filing a reply brief on the pretrial motions was Friday, April 14. The defense did not file one, and that was not a tactical decision. It is always embarrassing to say you've blown a deadline, and there is no excuse for it. I offer none. I simply did not have the reply deadline calendared. While I had an inkling that the deadline was approaching, with nothing on my calendar I did not turn my attention to it. On Friday, I planned to work on it and would have discovered the due date, but a morning spent in court and an afternoon handling a new arrest kept me occupied. Yesterday, I was working on the case and realized my error, and this motion immediately follows. Thus, there is gamesmanship for this delay; it was the simple product of an oversight.

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There are four pretrial motions in this case, and the Court should have the benefit of a reply brief before ruling on those motions. If the Court grants this motion, the reply brief will be filed no later than noon on Thursday. Thus, the defense would respectfully ask that this Court give the defense until noon on Thursday to file its reply brief. Again, I have contacted AUSA Paul Kanter about his position on this motion but have not received a response.

Dated at Madison, Wisconsin this April 18, 2017.

Respectfully submitted,

/s/ Joseph A. Bugni
Joseph A. Bugni
Counsel for Samy Hamzeh

FEDERAL DEFENDER SERVICES
OF WISCONSIN, INC.
22 East Mifflin Street, Suite 1000
Madison, Wisconsin 53703
Tel: 608-260-9900
Fax: 608-260-9901
joseph_bugni@fd.org

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